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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/602,908 | 06/24/2003 | Peter S. Vosbikian | QUK-2 | 2166 |

26689 7590 12/22/2005

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| EXAMINER |
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WALCZAK, DAVID J

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| ART UNIT | PAPER NUMBER |
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3751

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/602,908

Applicant(s)

VOSBIKIAN ET AL.

Examiner

David J. Walczak

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-92 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-92 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2003 and 28 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

The amendments to the specification filed on 2/28/05 have not been entered since these amendments do not comply with CFR 1.121.

Abstract

The abstract of the disclosure is objected to because phrases which can be implied, such as "The present invention" should not be present therein. Correction is required. See MPEP § 608.01(b).

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "hook and loop arrangement", "slides" and "screws" (claim 16) must be shown or the features canceled from the claim. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

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and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: On page 9, line 18, "squeeze member 44" should be --squeeze member 40--, on page 10, line 17, "Support member 22" should be --support member 28--, on page 12, line 25, "FIG. 8" should be --FIG. 9-- and on page 13, line 7, "body 69" should be --body 68--.

Appropriate correction is required.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The recitation of screws for attaching the cleaning member to the platen (claim 16) does not have antecedent basis in the specification.

Claim Rejections - 35 USC § 112

Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In regard to claim 5, an antecedent basis for "the cap" should be defined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 6-9, 17, 18 and 67-80 are rejected under 35 U.S.C. 102(b) as being anticipated by Lalli et al. (hereinafter Lalli). In regard to claim 1, Lalli discloses a mop comprised of a handle 12, 13 having upper and lower ends and adapted to hold a fluid (within cartridge 20), a mop head 135 disposed at the lower end of the handle and including a cleaning member 137, one or more openings (in spray head 110) in communication with the portion of the handle adapted to hold the fluid and positioned on the mop head and above a bottom surface of the cleaning member, a first actuator 145 associated with the mop to cause the mop head to compress a portion of the cleaning member and a second actuator 95 adapted to cause fluid to be released through the one or more openings wherein the second actuator is positioned on the handle above the first actuator. In regard to claim 3, the handle has an opening to accept the fluid cartridge (see the paragraph bridging columns 3 and 4). In regard to claim 6, the

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portion adapted to hold the fluid comprises a cavity in the handle in communication with the lower end of the handle. In regard to claim 7, the one or more openings are disposed in a "mop support" 111, 120, 135. In regard to claim 8, a valve 70 is disposed between the portion to hold fluid and the one or more openings. In regard to claim 9, the second actuator 95 opens and closes the valve. In regard to claim 17, rollers 139 are disposed on the mop head for wringing the mop. In regard to claim 18, the cleaning member is a sponge. In regard to claim 67, Lalli discloses a mop comprised of a handle 12, 13 adapted to hold a fluid and having an opening 71, a mop head 135, a cleaning member 137, a valve assembly 70 for releasing fluid from the opening and having a closed position that covers the opening and one or more apertures (in the spray head 110) on a front portion of the mop head and above a bottom surface of the cleaning member for releasing fluid in the form of a "spray or stream". In regard to claim 68, the valve assembly includes an O-ring 51. In regard to claim 69, the handle has a substantially uniform cross-section. In regard to claims 70 and 71, the valve assembly has a hollow valve body with an aperture 71 therethrough and an annular shoulder 61. In regard to claim 72, a sleeve 55 is positioned over the hollow valve body. In regard to claim 73, a barbed fitting is in communication with the valve assembly (see column 4, lines 60-61). In regard to claim 74, a flexible tube 90 is in communication with the opening. In regard to claim 75, the valve assembly comprises a "lever arm" 101. In regard to claim 76, an actuator 95 opens the valve assembly for releasing fluid through the one or more openings positioned on the mop head. In regard to claim 77, the actuator is associated with the valve assembly through a rod 103. In regard to claims

78 and 79, the actuator 95 is considered to be both a trigger and a button. In regard to claim 80, an actuator 145 is used to compress the cleaning member.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lalli in view of Jones (as previously cited). Although the Lalli device does not include a window thereon, attention is directed to the Jones reference, which discloses another mop device having solution in the handle wherein a window 4 is positioned on the handle in order to enable a user to view the contents thereof. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include such a window on the Lalli device in order to enable a user to view the contents of the handle.

Claims 4, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lalli in view of Hirse. Although the mop head in the Lalli device does not include the claimed structure, attention is directed to the Hirse reference, which discloses an analogous mop wherein the cleaning member is compressed between two rollers wherein the mop is a butterfly mop comprised of opposing plates 5 (defining a "hinged platen") structured as claimed in order to enable the cleaning member to be wrung.

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Accordingly, it is the Examiner's position that it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the cleaning member currently employed in the Lalli reference with the butterfly-type cleaning member disclosed by Hirse wherein such a modification would amount to the mere substitution of one functionally equivalent cleaning member for another and the selection of either cleaning member would work equally well on the Lalli device. It is noted that although the Hirse reference does not disclose how the cleaning member is attached to the platen, it is the Examiner's position that the cleaning member can be attached to the platen via any suitable mechanism, including a hook and loop arrangement, slides and/or screws without effecting the overall operation of the device.

Claims 10-14 and 22-36, 38, 39, 42, 46-52, 54-60 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lalli in view of George (as previously cited). In regard to claims 10-14, although the Lalli reference does not disclose a disposable cleaning member positioned over the cleaning member 137 of Lalli, attention is directed to the George device, which discloses another mop having a sponge cleaning member 42, 43 wherein disposable cleaning members 22 are positioned over the sponge cleaning member in order to enable a user to remove a member 22 after use and thereby enable the mop head to remain clean. These extra cleaning members are releasably secured to the mop via clips 51, 52 and the mop is capable of being used without the disposable cleaning member. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ such disposable cleaning members onto the Lalli cleaning device via clips in order to enable

a user to maintain a clean mop head. In regard to claims 22-27, as discussed supra, Lalli discloses a handle, mop head, sponge cleaning member and actuator and George discloses additional cleaning members (in the form of disposable pads) which can obviously be attached to the Lalli device. It is noted that the second cleaning member (disposable sheet 22) would be capable of being attached to the mop head both when the first cleaning member 137 is attached to the mop head and when the first cleaning member is not attached. In regard to claims 28 and 29, the second cleaning member is both "reusable" and "reversible". In regard to claim 30, when the mop head of George is placed onto a bucket of cleaning fluid, the outer sheet 22 becomes "pre-moistened". Therefore, when a number of sheets 22 are placed on the Lalli device and the mop head is wetted, a pre-moistened cleaning member is "adapted" to be secured to the mop head over the first cleaning member. In regard to claims 31-36, as discussed supra, Lalli discloses the claimed structure, including a tube 90 connecting the fluid with the opening. In regard to claim 39, although the Lalli reference does not disclose a cap over the opening in the handle, the Examiner takes official notice that such caps are commonly employed over such reservoir openings in order to prevent unwanted matter from entering the opening. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a cap over the opening in the Lalli device in order to prevent unwanted material from entering. In regard to claim 46, as discussed supra, the device is capable of being used as claimed, i.e., the Lalli device can be used with just sponge 137 (i.e., a first mode), or used with extra sheets 22 thereon wherein the sheets may be used when "pre-moistened" (a second mode) or

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dry (third mode) wherein the pre-moistened cleaning member "is adapted to be" (i.e. capable of being) secured directly to the mop head in the absence of the sponge and dry cleaning member. In regard to claims 47-52, 54, 57, 58 and 63, as discussed supra the Lalli and George devices include the claimed structure. In regard to claim 55, as discussed supra, a cap could obviously be employed onto the Lalli device. In regard to claims 56, 59 and 60, all of the cleaning members are disposable, reusable and reversible.

Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lalli in view of Chen. Although the Lalli device does not include an abrasive scrub brush thereon, attention is directed to the Chen reference, which discloses another sponge mop wherein such a brush 34 is disposed thereon in order to enable a user to have access to a brush as well as a sponge applicator while cleaning. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ such a brush onto the Lalli device in order to enable a user to have access to a scrub brush during cleaning.

Claims 37 and 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lalli in view of George as applied to claims 31 and 47 above, and further in view of Jones. As discussed above, it would have been obvious to provide a window onto the Lalli device, in view of the teachings of Jones.

Claims 40, 41, 61 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lalli in view of George as applied to claims 22 and 46 above, and

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further in view of Hirse. As discussed supra, it would have been obvious to provide the Lalli device with a hinged platen.

Claims 43-45 and 64-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lalli in view of George as applied to claims 22 and 46 above, and further in view of Chen. As discussed supra, it would have been obvious to provide the Lalli device with a brush, in view of the teaching of Chen.

Claims 81-92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lalli in view of Jilbert and Hirse. In regard to claim 81, as discussed supra, Lalli discloses a mop comprised of a handle adapted to hold a fluid and having an opening therein through which the fluid flows, a mop head 135 and one or more openings for releasing the fluid. As discussed supra, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the mop head can be a butterfly-type head, in view of the teachings of Hirsh. Although the handle is not structured as claimed, attention is directed to the Jilbert reference, which discloses another dispensing mop wherein the handle holds fluid but does not employ a removable container and includes an opening on the surface of the upper end thereof (covered by cap 11) for pouring fluid into the handle. It would have been obvious to one of ordinary skill in the art at the time the invention was made to design the Lalli device such that the inner container is not needed in order to enable a user to more easily fill the handle and reduce the overall number of parts needed to make the device. In regard to claims 82-92, as discussed supra, the Lalli reference discloses the claimed structure.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Walczak whose telephone number is 571-272-4895. The examiner can normally be reached on Mon-Thurs, 6:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on 571-272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David J. Walczak
Primary Examiner
Art Unit 3751

DJW
12/19/05